

Sweet J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

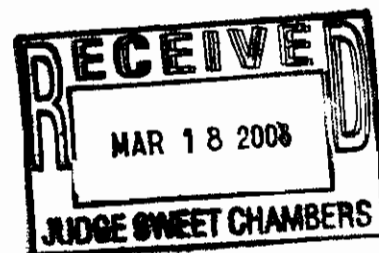
AXION POWER INTERNATIONAL, INC.,
WILLIAM AND TRACY AHEARN, h/w,
SALLY FONNER, and
JAMES SMITH, M.D.,

Plaintiffs,

- against -

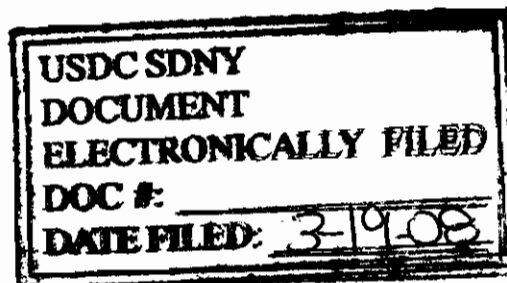
MERCATUS & PARTNERS, LTD.,
MF GLOBAL, INC., MF GLOBAL, UK, Ltd.,
CARI MASI a/k/a CARY MASI,
BNP PARIBAS SECURITIES SERVICES,
BANCA MB S.p.A.,
DWIGHT PARSCALE,
STEPHANO CEVALO,
CONTINENTAL STOCK TRANSFER AND
TRUST COMPANY,
PENSON FINANCIAL SERVICES, INC., AND
BROWN BROTHERS HARRIMAN & CO.,

Defendants.



07 Civ. 11493 (RWS)

STIPULATION OF DISMISSAL
AS AGAINST BNP PARIBAS
SECURITIES SERVICES



IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for
the plaintiffs and the attorneys for the defendant BNP Paribas Securities Services ("BP2S") that
this action is dismissed as against BP2S, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of

Civil Procedure.

Dated: New York, New York

March 14, 2008

FELLHEIMER & EICHEN LLP

By: 

Alan S. Fellheimer

44 Wall Street, 12th Floor
New York, New York 10005
T: (212) 461-7142
F: (212) 461-2223

Counsel for Plaintiffs
Axion Power International, Inc., William
Ahearn, Tracy Ahearn, Sally Fonner, and
James Smith

CLEARY GOTTlieb STEEN &
HAMILTON LLP

By: 

Carmine D. Boccuzzi

One Liberty Plaza
New York, New York, 10006
T: (212) 225-2000
F: (212) 225-3999

Counsel for Defendant BNP Paribas Securities
Services

*Signed
Sue CSDS
3-14-08*